

1 UNITED STATES DISTRICT COURT  
2 FOR THE NORTHERN DISTRICT OF OHIO  
3 EASTERN DIVISION

3 IN RE: NATIONAL ) MDL No. 2804  
4 PRESCRIPTION OPIATE )  
5 LITIGATION ) Case No.  
6 ) 1:17-MD-2804  
7 )  
8 THIS DOCUMENT RELATES TO ) Hon. Dan A. Polster  
9 ALL CASES )  
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10 — — —  
Friday, February 22, 2019  
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12 HIGHLY CONFIDENTIAL - SUBJECT TO FURTHER  
13 CONFIDENTIALITY REVIEW  
14 — — —

17 Videotaped Deposition of MATTHEW ROGOS,  
18 held at Marcus & Shapira LLP, One Oxford  
19 Centre, Suite 3500, Pittsburgh, Pennsylvania,  
20 commencing at 1:09 p.m., on the above date,  
21 before Michael E. Miller, Fellow of the  
22 Academy of Professional Reporters, Registered  
23 Diplomate Reporter, Certified Realtime  
24 Reporter and Notary Public.  
25

23 — — —  
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6 DEVYN MULHOLLAND,  
7 Golkow Litigation Services

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## DEPOSITION EXHIBITS

MATTHEW ROGOS

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PROCEEDINGS

(February 22, 2019 at 1:09 p.m.)

THE VIDEOGRAPHER: We're now on the record. My name is Devyn Mulholland. I am the videographer for Golkow Litigation Services. Today's date is February 22nd, 2019. The time is 1:09 p.m.

This video deposition is being held in Pittsburgh, Pennsylvania in the matter of National Prescription Opiate Litigation. The deponent is Matthew Rogos.

Counsel will be noted on the stenographic record. The court reporter is Mike Miller, and he will now swear in the witness.

MATTHEW ROGOS,  
having been duly sworn,  
testified as follows:

EXAMINATION

BY MR. BARTON:

Q. All right. Mr. Rogos, my name is Eric Barton. We met just before the deposition. I am one of the attorneys



1       representing the plaintiffs in some  
2       litigation involving the opioid epidemic, and  
3       we're here to take your deposition today.

4                       Have you ever had your  
5       deposition taken?

6               A.       No.

7               Q.       Okay. I'll explain a little  
8       bit about the process, and I know that you've  
9       probably talked with counsel about the  
10      process as well.

11                      But first, do you understand  
12      that you have just taken an oath the same as  
13      if you were sitting in a courtroom in front  
14      of a jury?

15              A.       I do.

16              Q.       Okay. And so the oath is to  
17      tell the truth under penalty of perjury, and  
18      you understand that, correct?

19              A.       I do.

20              Q.       Thank you.

21                      The -- because we have a court  
22      reporter who will be making a transcript of  
23      what we say today, I will need you to give  
24      audible answers and try not to interrupt me  
25      as I try not to interrupt you.

1 Is that okay?

2 A. That's fine.

3 Q. All right. If you don't  
4 understand a question that I ask, please feel  
5 free to tell me so and ask me to try to  
6 clarify it for you. Is that all right?

7 A. That's fine.

8 Q. Okay. And you are represented  
9 today in this deposition?

10 A. I am.

11 Q. Okay. And your counsel is here  
12 with you, correct?

13 A. That's correct.

14 Q. Okay. Who is your current  
15 employer?

16 A. ABARTA Coca-Cola.

17 Q. Okay. And how long have you  
18 worked for Coca-Cola?

19 A. Since May of 2015.

20 Q. We're here today to ask you  
21 questions primarily about your work for Giant  
22 Eagle's HBC Service Company.

23 Do you understand that?

24 A. I do.

25 Q. When did you work for Giant

1 Eagle's HBC Service Company?

2 A. I worked for them from the time  
3 period approximately November 2013 to May of  
4 2015.

5 Q. Okay. Let me hand you -- let's  
6 just use this one as Exhibit 1.

7 (HBC-Rogos Deposition Exhibit 1  
8 marked.)

9 BY MR. BARTON:

10 Q. Okay. I've marked a document  
11 as Exhibit 1, I'm handing it to you. I'll  
12 represent this document Exhibit 1 has an  
13 identifying number, our own identifying  
14 number at the top that's P-GEN-00145.

15 But does this appear to be a  
16 r?sum? of yours that summarizes your  
17 education and experience?

18 A. Yes.

19 Q. Is this something that you  
20 prepared?

21 A. It is.

22 Q. Okay. And does it fairly and  
23 accurately summarize your education and work  
24 history?

25 A. It does.

1           Q.       When you first started working  
2       for Giant Eagle's HBC Service Company, was  
3       that in the title of distribution operations  
4       manager?

5           A.       In 2013, yes.

6           Q.       Okay. And you retained that  
7       role for the entirety of your tenure with  
8       HBC?

9           A.       Until I left, yep.

10          Q.       Okay. And so prior to working  
11       for HBC, you had been working for other  
12       divisions or subsidiaries of Giant Eagle; is  
13       that right?

14          A.       That's correct.

15          Q.       And those are listed there on  
16       the second page of your r?sum??

17          A.       Uh-huh.

18          Q.       During those positions, from  
19       2003 up until November of 2013, had you --  
20       had you had any experience or training in any  
21       of those positions dealing with controlled  
22       substances or pharmaceuticals?

23          A.       Prior to getting to HBC, you  
24       mean?

25          Q.       Correct.

1 A. No.

2 Q. Okay. When you left HBC in May  
3 of 2015, was that -- was that a voluntary  
4 decision on your part?

5 A. It was.

6 Q. The role of distribution  
7 operations manager, did you have essentially  
8 kind of overall supervisory responsibility  
9 for all operations of the warehouse?

10 A. Yes.

11 Q. And your counsel almost  
12 objected. That reminded me just as a process  
13 point. There may be some objections to  
14 questions that I ask today, and if there are,  
15 unless your counsel instructs you not to  
16 answer, you understand that you will go ahead  
17 and try to answer my question?

18 A. I'll try.

19 Q. Okay. So the operations of the  
20 HBC warehouse, as I understand it, it was  
21 only a portion of the overall warehouse that  
22 was identified and specific to the  
23 pharmaceutical distribution piece, correct?

24 A. That's correct.

25 Q. And within that pharmaceutical

1 distribution piece, there was also a separate  
2 defined area that was secured for controlled  
3 substances; is that true?

4 A. It is.

5 Q. Okay. But in terms of the  
6 entire HBC warehouse, the pharmaceutical and  
7 controlled substances part of that warehouse  
8 was a relatively small part of the entire  
9 warehouse; is that true?

10 A. That's correct.

11 Q. Okay. I asked you if you'd had  
12 any, I think, training or experience prior to  
13 HBC with -- dealing with distribution of  
14 pharmaceuticals or controlled substances, and  
15 you said you had not, correct?

16 A. That's correct.

17 Q. Do you recall any education --  
18 and I'll ask you a little bit about your  
19 education here in a second, but had you had  
20 any education concerning Federal laws or  
21 regulations concerning controlled substances?

22 MR. KOBRIN: Object to form.

23 Do you mean formal education or job  
24 training, anything?

25 MR. BARTON: Well, yeah. I

1 mean, really anything.

2 BY MR. BARTON:

3 Q. Anything you would consider  
4 education, whether it be formal education or  
5 education through job training or anything.

6 A. Prior to getting to HBC?

7 Q. Correct.

8 A. No.

9 Q. Let's -- let me ask a little  
10 bit about your education quickly, just -- it  
11 appears you graduated from Penn State with a  
12 Bachelor of Science in marketing; is that  
13 right?

14 A. It is.

15 Q. With a minor in business  
16 logistics?

17 A. Uh-huh.

18 Q. And that was 1997?

19 A. That's correct.

20 Q. Okay. And then after entering  
21 the workforce, it appears you got an M.B.A.  
22 from University of Pittsburgh, correct?

23 A. I did.

24 Q. That was in 2008?

25 A. It was.

1 Q. Okay. So did you leave work to  
2 be a full-time student in the M.B.A., or were  
3 you able to do that while working at Giant  
4 Eagle?

5 A. I took night classes while  
6 working at Giant Eagle.

7 Q. Okay. In your role as  
8 distribution operations manager, did you  
9 directly supervise managers underneath you,  
10 so to speak?

11 A. I did.

12 Q. And how many managers were  
13 under you at HBC?

14 MR. KOBRIN: Object to form.  
15 BY MR. BARTON:

16 Q. How many managers did you  
17 directly supervise?

18 A. I'm trying to think. I think  
19 there was a minimum of three.

20 Q. Did any of those managers have  
21 exclusive responsibilities to the  
22 pharmaceutical area of the warehouse?

23 A. Not that I can remember.

24 Q. Okay. Yeah, I just wondered  
25 if -- if there was someone who kind of had



1       that role who you supervised, but you don't  
2       recall that being the way managerial  
3       responsibilities were divided underneath you?

4             A.       No.

5             Q.       Okay. Let me just ask you  
6       about the physical setup for you at the HBC  
7       warehouse.

8                     I assume your -- you spent your  
9       days at the warehouse, correct?

10            A.       That's correct.

11            Q.       And did you have an office  
12       there on site?

13            A.       I did.

14            Q.       And was that an office that,  
15       you know, kind of had walls and a door, or  
16       was it just an area?

17            A.       It was a walls-and-door office.

18            Q.       Okay. Like a full-on office?

19            A.       Full-on office.

20            Q.       All right. And you had a  
21       computer?

22            A.       I did.

23            Q.       I assume you had an office  
24       phone?

25            A.       I did.

1           Q.       The computer that you had, was  
2       that like a desktop computer with a monitor,  
3       or did you just use a laptop?

4           A.       I can't recall. I think it  
5       might have been a laptop, but I can't recall.

6           Q.       Okay. I assume, but you tell  
7       me if -- otherwise, that your computer was  
8       linked or networked to a company network of  
9       some kind?

10          A.       I would assume, yes.

11          Q.       Yeah. And for e-mail  
12       communications, did you occasionally e-mail  
13       people through the course of your work?

14          A.       I did.

15          Q.       And was that -- if you recall,  
16       did you use -- did you and the company use an  
17       Outlook, Microsoft Outlook-based system for  
18       e-mail, or was it some other e-mail provider,  
19       if you recall?

20          A.       I believe it was Outlook.

21          Q.       And likewise, for word  
22       processing, if you worked on documents and  
23       drafted or edited and sent documents, word  
24       processing, did you use Microsoft Word there,  
25       do you recall?

1 A. Yes.

2 Q. Okay. Was there -- in addition  
3 to any e-mails that you might use in the  
4 course of your work, was there also a company  
5 intranet, if you will, where you could do  
6 instant messaging directly to other employees  
7 without using e-mail?

8 A. I believe there was.

9 Q. Okay. Is that -- do you know  
10 what -- do you know what that -- did it have  
11 a name?

12 A. I don't recall.

13 Q. Okay. Was that something that  
14 you often used, if you recall?

15 A. I don't think I used it too  
16 much.

17 Q. Was there any other way,  
18 besides direct face-to-face conversations  
19 with people or using the office telephone or  
20 using e-mail or the instant messaging  
21 function, if you used that, were there any  
22 other ways that you communicated with other  
23 people at HBC?

24 A. I think we communicated with  
25 supervisors over a walkie-talkie system.

1           Q.       Okay. And so that -- that was  
2 just for kind of talking to people who might  
3 be in another part of the warehouse far  
4 enough away that you can't have a  
5 face-to-face conversation, but you're just  
6 having kind of an immediate communication  
7 with them that way?

8           A.       That's correct.

9           Q.       All right. Any other ways you  
10 can think of? I'm just trying to understand  
11 what all those were.

12          A.       I think there might have been  
13 an intercom, so if we had to call somebody to  
14 the office there was an intercom that would  
15 communicate a message across the warehouse.

16          Q.       Okay. How many offices like  
17 yours were there at the HBC warehouse?

18                   MR. KOBRIN: Object to form.

19          A.       You mean where other people  
20 would also perform work that had walls and  
21 doors?

22 BY MR. BARTON:

23          Q.       Yeah.

24          A.       Okay. My recollection, one,  
25 two, three, four -- we had four on the same

1 kind of platform and location where I was,  
2 and then there was -- there were two others  
3 in the center of the warehouse that served as  
4 an inventory warehouse office.

5 Q. Okay. And who were the people  
6 who had the other four -- or the other three,  
7 I guess. There were four you said in your  
8 area.

9 A. Uh-huh.

10 Q. Who were the other people and  
11 like, kind of what were their titles? Just  
12 getting a sense of who --

13 A. We had a maintenance supervisor  
14 who had his own office. There was an office  
15 administrator. Our HR department had an  
16 office and our payroll support had an office.  
17 And I recollect we also had -- I want to say  
18 a receptionist. She had an office as well.

19 MR. BARTON: Okay.

20 (HBC-Rogos Deposition Exhibit 2  
21 marked.)

22 BY MR. BARTON:

23 Q. I'm going to hand you a series  
24 of documents and just ask you questions about  
25 them, and that's how we'll largely proceed

1 here.

2 First of all, I'll hand you  
3 what we marked as Exhibit 2. I may not have  
4 many questions about this. This is a  
5 document that was produced by HBC. The  
6 metadata associated with the document on the  
7 first page seems to suggest it was created  
8 perhaps before you came to HBC, in March of  
9 2013.

10 So I point that out only to  
11 suggest -- my first question about this is,  
12 is this a document that you recognize or  
13 recall seeing?

14 MR. KOBRIN: Do you know who's  
15 the custodian on it?

16 MR. BARTON: I don't.

17 MR. KOBRIN: You don't, okay.

18 MR. BARTON: If it's not  
19 listed, and it isn't, I don't know who  
20 it is.

21 MR. KOBRIN: So it may not be  
22 from his custodial file either. He  
23 may have never seen it.

24 MR. BARTON: Yeah, which is  
25 really my question. And if he hasn't,

1 then I don't have any other questions.

2                   A.       This is the first time I've  
3    seen this.

4 BY MR. BARTON:

5 Q. Okay. If you had authored this  
6 or edited it or something, I'd have more  
7 questions about it, but if you've never seen  
8 it before, I don't need to have you answer  
9 any other questions about it because you  
10 haven't seen before. Okay.

11                               And from looking at that real  
12       quick, you can't discern who may have  
13       authored it, or can you, just based on having  
14       worked at HBC?

15 MR. KOBRIN: If you can tell.

16           You don't need to speculate.

17           A.       Yeah, unless there's a name at  
18       the end, I can't tell.

19 MR. BARTON: Okay. That's

20 fine.

21 (HBC-Rogos Deposition Exhibit 3  
22 marked.)

23 BY MR. BARTON:

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19 MR. KOBRIN: Do you want to  
20 take a break? We've been going about  
21 an hour, an hour ten.

22 MR. BARTON: Yeah, that's fine.  
23 We can do it.

24 THE VIDEOGRAPHER: Off the  
25 record at 2:12 p.m.

1 (Recess taken, 2:12?p.m. to  
2 2:27 p.m.)

3 THE VIDEOGRAPHER: We're back  
4 on the record at 2:27 p.m.

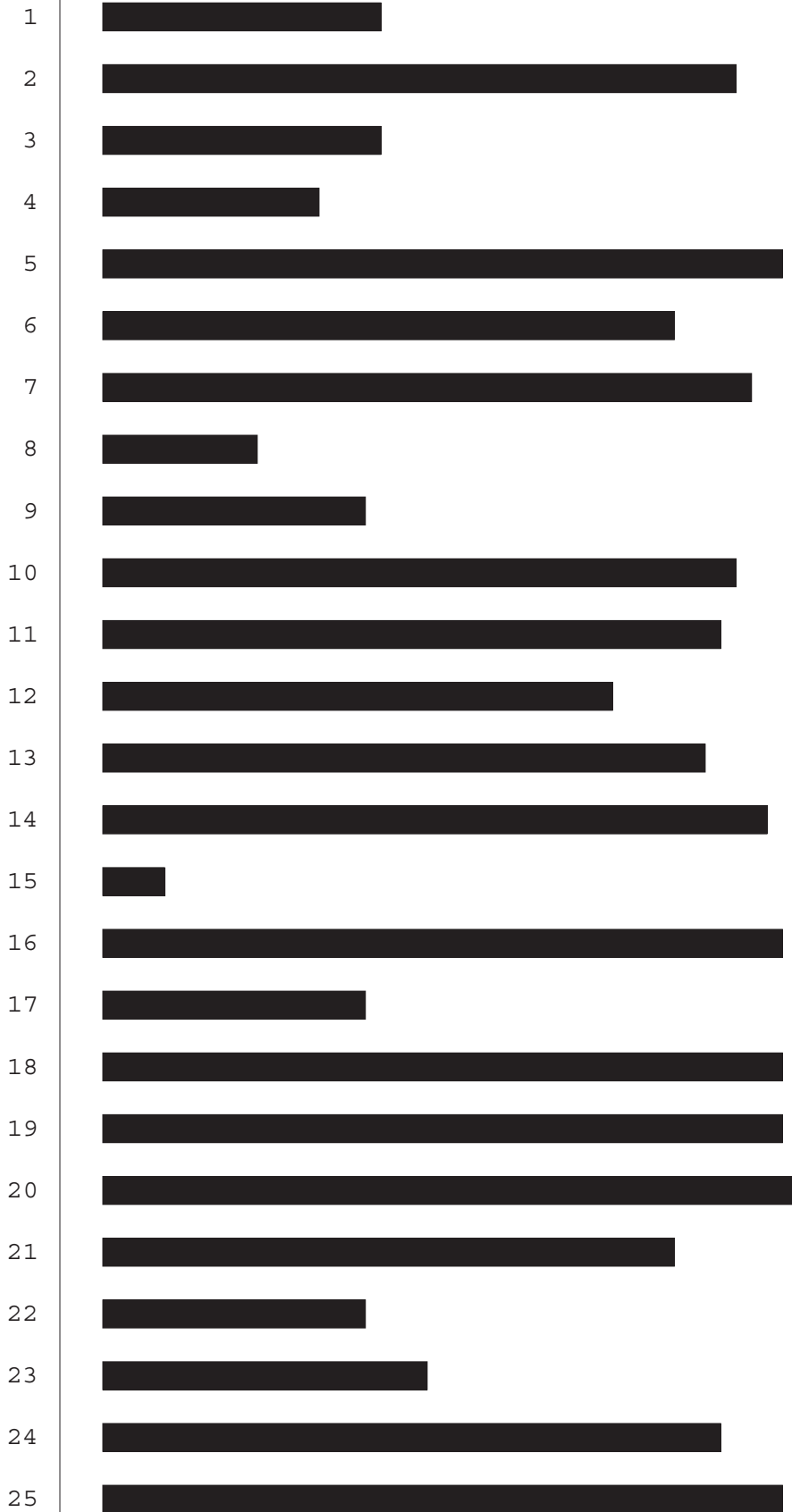
5 BY MR. BARTON:

6 Q. Okay. Mr. Rogos, a few more  
7 questions about Exhibit 6 that you have in  
8 front of you.

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1 A. Myself personally?

2 Q. Yes.

3 A. No.

4 Q. Okay. Did -- by this time of  
5 August of 2014, do you recall having had any  
6 role in reviewing this inventory control  
7 policy and, you know, approving it or  
8 anything like that, or was it just a  
9 preexisting policy that was in your set of  
10 policies?

11 A. It was a preexisting policy --

12 Q. Okay.

13 A. -- that we were using.

14 Q. Okay. So it was -- but as part  
15 of the VAWD certification process, do you  
16 then recall taking this policy and, you know,  
17 adding to it or revising it consistent with  
18 VAWD's expectations?

19 MR. KOBRIN: Object to form.

20 A. What I recall is the inventory  
21 policy that was in the library of SOPs was in  
22 a different format than VAWD -- the VAWD  
23 application asked us to put the policies in.

24 As we transferred the  
25 information from our previous policies into

1 the format, there might have been some edits  
2 that, as a group, the pharmacy key team, if  
3 we had questions amongst us, we would ask to  
4 see how we wanted to, I guess, update the  
5 policy, or if there were things in the VAWD  
6 checklist that we needed to ensure that were  
7 in the policies to get the certification, we  
8 needed to put those in.

9 BY MR. BARTON:

10 Q. Okay. So as of August of 2014,  
11 looking kind of at the effective date shown  
12 here for this policy on this document, on  
13 Exhibit 7, as of -- as of August 1st of 2014,  
14 do you recall having directed at HBC that  
15 there be any training of HBC employees on how  
16 one might identify an order from a pharmacy  
17 of controlled substances as suspicious?

18 MR. KOBRIN: Object to form.

19 A. What employees?

20 BY MR. BARTON:

21 Q. Any. Anyone at the warehouse,  
22 I guess. Anyone under your supervision  
23 ultimately.

24 A. I don't recall any specific  
25 training. There were employees that were in

1 place prior to my arrival at HBC that might  
2 have gotten training.

3 Q. Okay. Do you recall whether,  
4 at HBC at the time we're talking about now,  
5 in 2014, was there like a learning management  
6 system for employees to get all kinds of  
7 training that they may need for their jobs?

8 MR. KOBRIN: Object to form.

9 A. I can't recall.

10 BY MR. BARTON:

11 Q. Okay. You understand what I'm  
12 referring to, though, in terms of like an  
13 LMS, learning management system, for employee  
14 training? Is that something you have had  
15 familiarity with in your career?

16 A. It is.

17 Q. And one of the things that an  
18 LMS system can do if an employer sets it up  
19 this way is to have training for its  
20 employees, for example, on policies and  
21 procedures, correct?

22 A. I would assume, yes.

23 Q. Okay. But as you sit here, you  
24 don't recall whether that existed in that --  
25 whether that functionality existed in HBC at







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1 identify if a certain pharmacy within our  
2 Giant Eagle system was ordering over -- or I  
3 guess overordering a certain prescription.

4 I know that they did monitor  
5 that and would send out monthly reports on  
6 thresholds to us if any store was over the  
7 threshold.

8 Q. Okay. So there was a company  
9 system, what you're referring to, that you  
10 understood was in place to be monitoring for  
11 orders that somehow were flagged by the  
12 system as potentially suspicious?

13 A. Correct.

14 Q. Based on quantity or frequency  
15 or size or anything that the system might be  
16 flagging?

17 A. I don't know what the specifics  
18 were on the flags, but yes.

19 Q. Right. You didn't set up that  
20 system to kind of put in whatever parameters  
21 it had, correct?

22 A. No.

23 Q. So that -- and my question was  
24 really just about what's -- what was in this  
25 written policy as of this point in time

1       that -- none of that that you've just  
2       described, the companywide system or any  
3       other criteria that employees might use for  
4       identifying an order of suspicious -- an  
5       order as suspicious, that's not -- that's not  
6       explained in this document, correct?

7             A.       No.

8             Q.       Okay. What this document does  
9       do is it addresses how HBC intended to  
10      respond if it identified or suspected an  
11      order as suspicious?

12             MR. KOBRIN: Object to form.

13             A.       That's correct.

14             MR. BARTON: Okay.

15             (HBC-Rogos Deposition Exhibit 8  
16      marked.)

17      BY MR. BARTON:

18             Q.       I'm handing you Exhibit 8.  
19      Exhibit 8 is a multiple-page document  
20      starting with page Bates number  
21      HBC\_MDL00132908; is that correct?

22             A.       Yes.

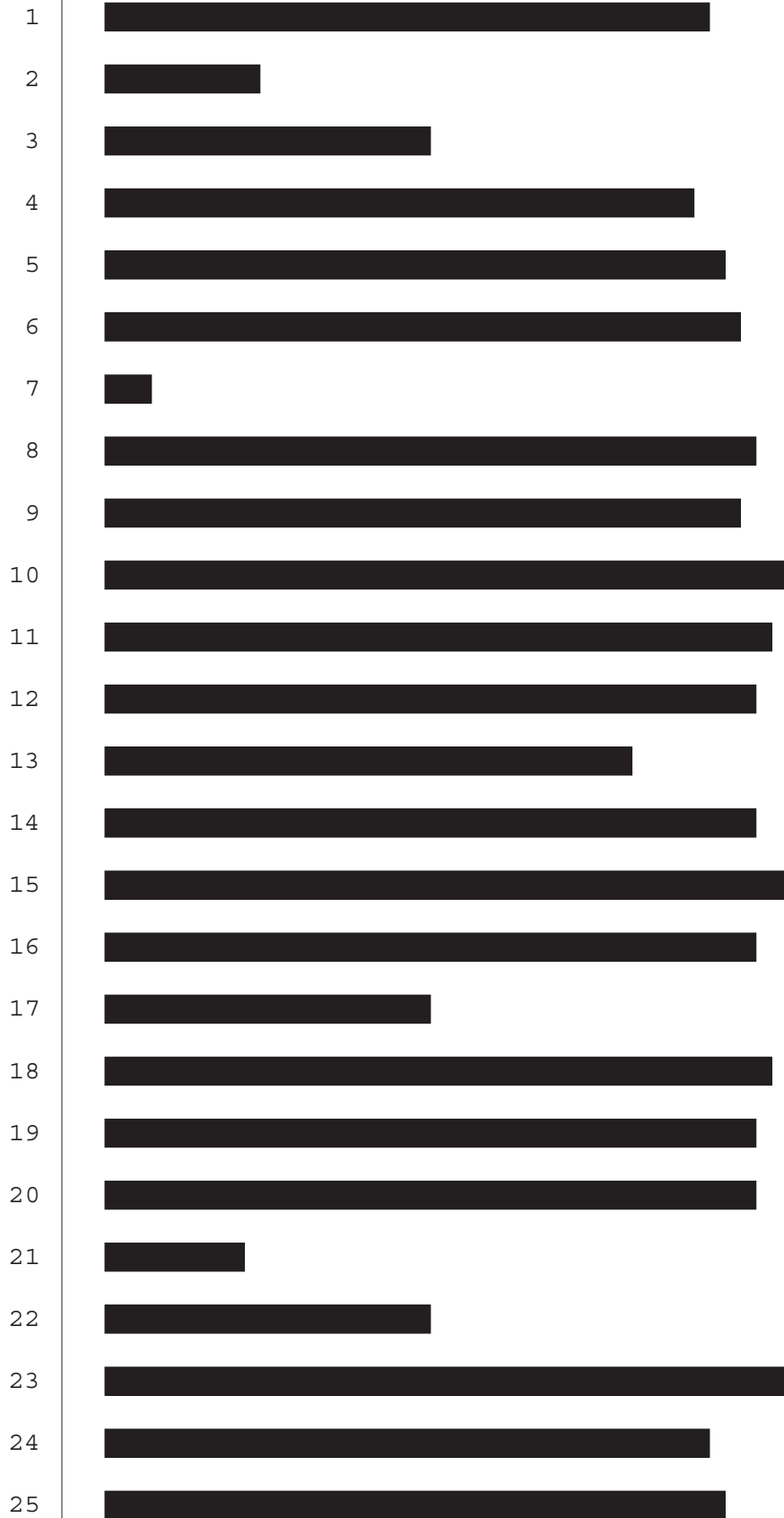
23             Q.       And the last page of this  
24      exhibit, Bates HBC\_MDL00132924; is that  
25      right?

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21 MR. KOBRIN: You want to take  
22 another break? We're at about two  
23 hours.

24 MR. BARTON: Yeah, we can do  
25 that.

1 THE VIDEOGRAPHER: Off the  
2 record at 3:35 p.m.

3 (Recess taken, 3:35?p.m. to  
4 4:08?p.m.)

5 THE VIDEOGRAPHER: We're back  
6 on the record at 4:08 p.m.

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23 MR. BARTON: Okay. Give me --  
24 let's just take a very short break. I  
25 think I'm done, but let me just make

1 sure.

2 THE VIDEOGRAPHER: Off the  
3 record at 4:30 p.m.

4 (Recess taken, 4:30 p.m. to  
5 4:40?p.m.)

6 THE VIDEOGRAPHER: We're back  
7 on the record at 4:40 p.m.

8 MR. BARTON: Mr. Rogos, I  
9 appreciate your time today, and I  
10 don't have any further questions.

11 THE WITNESS: Thank you.

12 EXAMINATION

13 BY MR. KOBRIN:

14 Q. Mr. Rogos, I just have a couple  
15 of follow-up questions for you.

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1           A.       My understanding, yes, uh-huh.

2           Q.       There -- was there ever, during  
3 the time that you were director of warehouse  
4 operations, was there ever any specific  
5 training that you directed or conducted of  
6 your employees on suspicious order  
7 monitoring?

8           A.       Not that I did.

9           Q.       Okay. Did it ever occur? I  
10 mean, apart from whether you actually did the  
11 training, did you -- do you know whether your  
12 employees ever got training on the specifics  
13 of suspicious order monitoring while you were  
14 director of warehouse operations?

15          A.       No.

16          Q.       Okay. And I think you've  
17 testified there wasn't, to your recollection,  
18 or at least you're not able to say there was,  
19 an LMS training system where it would be  
20 documented somewhere that every employee was  
21 trained on these policies, correct?

22          A.       I'm not aware of that.

23          Q.       Okay. After -- after this  
24 policy was revised to include the suspicious  
25 order criteria that counsel was just pointing

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18	[REDACTED]
19	[REDACTED]
20	[REDACTED]
21	[REDACTED]
22	[REDACTED]
23	[REDACTED]
24	[REDACTED]
25	[REDACTED]

- 1 [REDACTED]
- 2 [REDACTED]
- 3 [REDACTED]
- 4 [REDACTED]
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- 6 [REDACTED]
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1 [REDACTED]  
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14 [REDACTED]  
15 [REDACTED]  
16 [REDACTED]  
17 [REDACTED]  
18 [REDACTED]  
19 [REDACTED]

20 MR. BARTON: Nothing further.

21 THE VIDEOGRAPHER: This  
22 concludes this deposition. The time  
23 is 5:02 p.m. Off the record.

24 (Proceedings recessed at  
25 5:02 p.m.)



## 1 CERTIFICATE

2 I, MICHAEL E. MILLER, Fellow of  
3 the Academy of Professional Reporters,  
4 Registered Diplomate Reporter, Certified  
5 Realtime Reporter, Certified Court Reporter  
6 and Notary Public, do hereby certify that  
prior to the commencement of the examination,  
MATTHEW ROGOS was duly sworn by me to testify  
to the truth, the whole truth and nothing but  
the truth.

7 I DO FURTHER CERTIFY that the  
8 foregoing is a verbatim transcript of the  
9 testimony as taken stenographically by and  
before me at the time, place and on the date  
hereinbefore set forth, to the best of my  
ability.

10 I DO FURTHER CERTIFY that pursuant  
11 to FRCP Rule 30, signature of the witness was  
12 not requested by the witness or other party  
before the conclusion of the deposition.

13 I DO FURTHER CERTIFY that I am  
14 neither a relative nor employee nor attorney  
15 nor counsel of any of the parties to this  
16 action, and that I am neither a relative nor  
employee of such attorney or counsel, and  
that I am not financially interested in the  
action.

17  
18  
19 MICHAEL E. MILLER, FAPR, RDR, CRR  
20 Fellow of the Academy of Professional Reporters  
21 NCRA Registered Diplomate Reporter  
22 NCRA Certified Realtime Reporter  
23 Certified Court Reporter

24 Notary Public  
25 My Commission Expires: 7/9/2020

Dated: February 24, 2019

1 INSTRUCTIONS TO WITNESS

2  
3 Please read your deposition over  
4 carefully and make any necessary corrections.  
5 You should state the reason in the  
6 appropriate space on the errata sheet for any  
7 corrections that are made.

8 After doing so, please sign the  
9 errata sheet and date it.

10 You are signing same subject to  
11 the changes you have noted on the errata  
12 sheet, which will be attached to your  
13 deposition.

14 It is imperative that you return  
15 the original errata sheet to the deposing  
16 attorney within thirty (30) days of receipt  
17 of the deposition transcript by you. If you  
18 fail to do so, the deposition transcript may  
19 be deemed to be accurate and may be used in  
20 court.

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ERRATA

PAGE	LINE	CHANGE
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	REASON:	_____

ACKNOWLEDGMENT OF DEPONENT

I, MATTHEW ROGOS, do hereby certify that I have read the foregoing pages and that the same is a correct transcription of the answers given by me to the questions therein propounded, except for the corrections or changes in form or substance, if any, noted in the attached Errata Sheet.

MATTHEW ROGOS

DATE \_\_\_\_\_

Subscribed and sworn to before me this

\_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

My commission expires: \_\_\_\_\_

Notary Public

LAWYER'S NOTES

[illegible]